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SUBJECT: FRAUD SUMMARY - UNITED ARAB EMIRATES, SEPTEMBER 2009

REF: 08 State 74840

## 1. Country Conditions

Fraud at Embassy Abu Dhabi and Consulate General Dubai is low. Concern about visa fraud in the UAE is generally limited to visa applications from Third Country Nationals (TCNs) living in or visiting the UAE. UAE citizens ("Emiratis") are a minority in their own country, comprising less than 20 percent of the population. South Asians, mainly Indians and Pakistanis, make up 50 percent of the population. The next largest expatriate ethnic groups are Filipinos (19.6 percent), Arabs from other parts of the Middle East (13 percent) and Iranians (2.5 percent.)

Expatriate workers (many from high fraud countries) are the most likely to perpetrate general NIV fraud. Organized fraud efforts, such as document vendors or visa "touts," are uncommon in the UAE.

Most IV applicants are Iranian and fraud is at times evident in fiance (K), and employment (E) visa applications. Both posts face the challenging task of verifying information provided by Iranian applicants in visa interviews. For example, family relationships are evidenced by documents Post views as susceptible to fraud. Neither post has viable means to regularly verify the authenticity of documents and information presented by Iranians and, therefore, relies heavily on the personal interview - and staff's knowledge of Iranian culture and procedures - to determine application validity.

The UAE is a major regional and global transportation hub, and with this comes the potential to become a transit point for alien smuggling (particularly to Europe), travel of imposters, production of false documents, and other classic types of travel/immigration fraud.

Airline and immigration officials note a number of male fide passengers routinely attempting to transit the UAE, but report very few passengers carrying fraudulent U.S. documents. This may change as the UAE's two major airlines (Dubai-based Emirates and Abu Dhabi-based Etihad) expand their direct service to the U.S. Both airlines, along with several U.S. carriers also offer daily direct service between the UAE and USA. There are plans for greater aviation links in the future.

Both Posts in the UAE (Embassy Abu Dhabi and Consulate General Dubai) adjudicate a significant number of Iranian applicants. Approximately 50% of the total NIV workload in Dubai and 80% of the total IV workload in Abu Dhabi is Iranian. Consulate General Dubai is the primary global NIV application point for Iranians

resident in  
Iran. Embassy Abu Dhabi is the second largest post for  
processing of  
Iranian immigration cases. General discontent with the Iranian  
political regime and continued increase in unemployment rates and  
inflation continues to drive desire for Iranians to migrate.  
Post  
anticipates a continued increase in both immigrant and  
nonimmigrant  
Iranian visa applications, with a concurrent potential for  
increased  
fraud.

## 12. NIV Fraud - Abu Dhabi and Dubai

There is generally little fraud associated with applications from  
UAE citizens. Among the expatriate community that applies for  
visas,  
detected fraud efforts are generally unsophisticated and include  
questionable bank statements, letters of employment, etc. Posts  
do  
not rely on such documents and do not 221-g applicants  
specifically for them. If an applicant cannot clearly establish  
entitlement to the visa, posts make use of Section 214(b).  
Photo-substituted documents are very rare. In general, detecting  
Iranian visa fraud in NIV cases seems remains complicated by the  
lack of direct knowledge of Iranian documents and systems.  
Concern about security and technology transfer issues add to our  
overall vigilance.

The majority of posts' NIV fraud is with H and L employment  
visas.  
With numerous technical companies based in Dubai and a large

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expatriate population, Dubai continues to interview a  
significant  
number of H and L applicants. Typically, applicants submitting  
fraudulent employment-based applications rely more on job  
experience  
than education to qualify for the visa. Through a combination of  
checking documents, verifying job experience, close questioning  
of  
applicants, and the use of other resources (including assistance  
from  
KCC), posts routinely detect cases of false work letters and  
overstated qualifications. Fraudulent letters typically are  
unsophisticated, with applicants presenting several  
fresh-looking  
experience letters (looking much newer than the dates indicated)  
with scanned company logos. Many of these letters are discovered  
to  
be fraudulent through post research and job verification.

Although both posts have had no specific reports of domestic  
servant  
abuse or trafficking in the A3 (Domestic Servants of Diplomats),  
G5  
(Domestic Servant of Government Official) or B1 (Temporary  
Visitor  
for Business) categories, we remain vigilant to potential abuse  
of  
these visa categories.

To date, neither post has noticed a change in levels of NIV  
fraud due  
to the change in economic situation and increase in  
third-country  
nationals emigrating from the country. This does, however,  
remain a  
concern and is being watched for by the anti-fraud  
investigator.

## 13. IV Fraud - Abu Dhabi and Dubai

Immigrant visa fraud is not prevalent but is at times found in K (fianc) petitions, E (employment-based) applications, and F (family-based) petitions. In fianc petitions, proof of a true relationship is often difficult to ascertain. Some of these cases involve Iranian fiances who speak only Farsi engaged to Americans who speak only English. There are often significant discrepancies in age between the applicant and the petitioner, even as much as 20 to 30 years. Applicants often provide generic "couples photos", usually taken outside of Iran, to provide evidence of a relationship. Legitimate fianc cases nearly always include numerous photos from the engagement party, which is held in Iran and includes extended family. The majority of Iranian K-1 petitioners obtained U.S. status through marriage to an American. Frequently, those marriages lasted only the time needed to obtain LPR status. Petitioners have also often been married numerous times and sometimes have already petitioned for one or two previous fiancs (or spouses) from Iran. Abu Dhabi continues to see numerous Internet relationships, first-cousin relationships and relationships with large age differences.

Abu Dhabi has seen a number of fiance visa cases involving Iranians which raised concerns about "marriages of convenience," perhaps involving exchange of money, entered into for the sole purpose of immigration. In these cases, consular officers discovered during interviews with the Iranian fiance that a close American citizen relative - often an uncle or aunt residing in the same U.S. city as the petitioner - was responsible for introducing an American (who is most often not Iranian-American) to his/her relative in Iran and suggesting marriage. This appears to be well outside the practice of a simple "arranged marriage", which post accepts as a norm within Iranian culture and frequently legitimate, particularly when the petitioner is Iranian-American. The Iranian-American matchmaking relative is also yabwQ8ing enters the U.S. on a K-1 visa causing several other siblings to subsequently find their "soul mates" in the U.S., usually through the family of the original sibling's petitioning fiance or through

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personal profiles posted on the Internet and in Internet chat rooms.

Post occasionally receives e-mails from disgruntled K-1 petitioners, relaying stories of their fiance arriving in the U.S. and shortly thereafter either leaving them or meeting and marrying someone else. Often these e-mails from USC K-1 petitioners request the Embassy to take action against their fiances who were issued visas.

In addition, every year post returns several K-1 (fiance) petitions to DHS for review after determining that the couple had already married. This issue is particularly prevalent with Iranian applicants. Iranian couples engage in religious ceremonies in Iran (which are legal marriages in that country) and then apply for fiance visas. Determining if a couple is already married is very difficult. Interviewing officers depend on the personal interview,

but we realize that some applicants may be successfully concealing these marriages. These already married K-1 petitioners often claim that their U.S. lawyers advised them to petition as a fiancee because "the process is quicker." The existence of "temporary marriage contracts" in Iran is also problematic as they are treated as a legitimate marriage just as a "normal" marriage.

Employment-based IV petitions are also watched closely for fraud. Abu Dhabi is receiving a steady stream of E-3, "specialized skill" visa applications. It is often difficult to verify that the Iranian applicants possess the claimed work experience. Frequently the applicants are "self-employed" and thus can state that their experience matches the experience required in the employment petition. Contacting previous employers in Iran is time-consuming and ineffective. In many cases, the businesses have closed or the current manager has no record of the applicant's employment. At times, the petitioner is either a family member or a close friend of the petitioner. Post has also seen cases of the U.S. business misrepresenting the services it offers in the petition to justify the need for hiring the Iranian employee. The personal interview is of great importance in these cases.

At times, falsified Iranian documents have been submitted to support an application. The applicants had different birthdates listed on their original petition and in their birth certificates (Shenas Namehs). Of particular note is that the Shenahs provided were new (duplicate), and were not the original document provided at birth. The birth date on the original document made the individual over 21 years of age whereas the new birth date made the age of the applicant under 21. The birthdates were intentionally changed so that the applicant would qualify for the visa. Post is not clear what Iranian identity authorities require to issue a duplicate Shenahs. Post notes that "unmarried" sons and daughters of LPRs/AmCits have also submitted duplicate Shenahs. Post suspects that in many of these cases, the applicant is married and has obtained a duplicate Shenahs to conceal their marriage data so that they qualify for a particular visa class. Post has discovered that the applicants were in fact married. Post later sees petitions from American Citizens, who immigrated to the U.S. as "unmarried sons or daughters," for a spouse and children from that same period of time.

Dubai does not process immigrant visas.

#### 14. DV Fraud - Abu Dhabi and Dubai

All DV applicants in the UAE are TCNs - often from high-fraud countries including Bangladesh, Somalia, Sudan, and Yemen. Conoffs and LES have worked with fraud officers in Dhaka, Lagos, and other posts to authenticate documents, particularly birth certificates and education credentials. The most common reason for a DV

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application to be disqualified is failure to include names of all family members at the time of the original application.

Dubai does not process diversity visas.

#### 15. ACS and Passport Fraud - Abu Dhabi and Dubai

The American Citizen Services unit does not generally encounter U.S. passport fraud. Both posts are vigilant about possible false citizenship claims and forwards all CRBA applications of children born in Iran to U.S. Embassy Bern for adjudication.

Consulate General Dubai encountered one case of possible imposter U.S. passport fraud at post during this period. A Nigerian citizen came to apply for a passport for her toddler AmCit child. The Consular Officer questioned the identity of the child with the woman as well as the authenticity of the documents presented in support of the application. In addition, the mother lied about the passport used by her daughter to travel from Lagos to Dubai. RSO questioned the mother and was not able to resolve the issue. Post did not issue a passport and instead referred the mother to apply at Embassy Lagos. Post alerted Embassy Lagos to the case.

Individuals regularly appear at both posts requesting authentication of educational documents from diploma mills and unaccredited institutions located both inside and outside the United States. Often the unaccredited certificates or degrees have been duly accredited at the state level and bear the authentication seal of the U.S. Secretary of State. We continue to receive educational documents that were accredited by the District of Columbia even though the college or university is not located there. Educational documents accredited in a state different than the state of issue is a useful fraud indicator because this often implies that the document was rejected in the state listed on the diploma (i.e., Florida), so the individual submitted the document to DC for accreditation.

Third country nationals often submit these documents as UAE labor and immigration law requires them to provide evidence of their expertise and education in a particular field. The authentication process only certifies "the genuineness of the signature and seal or the position of a foreign official" and does not verify the validity of the document. However, the UAE government and local companies often presume that the Embassy seal is a verification of the document's content and the subject's qualifications.

CA/OCS/PRI has confirmed that the Embassy is under no obligation to authenticate these documents bearing the seal of the Department of State. Both posts use U.S. Department of Education and Council for Higher Education databases to verify accreditation of educational institutions and refuse to authenticate documents from non-accredited institutions.

#### 16. Adoption Fraud - Abu Dhabi and Dubai

Abu Dhabi adjudicates very few local adoption cases. Adoption per se does not exist under Sharia law in Islamic countries, including the UAE.

A court may only grant guardianship. The Department has advised that guardianship does not carry the same status as adoption for purposes of U.S. immigration, and thus post may only issue IR-4 visas for children whose adoption will be finalized in the US.

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Post does see several IR-4 visa applications originating from Iran each year and expects to see more Iranian-based adoption requests in the future. Adjudicating such cases is relatively difficult since U.S. legal requirements for completing an adoption and Iranian legal proceedings and documentation for guardianship do not easily collaborate. Post again stresses the challenge of authenticating Iranian documents, especially provincial documents which are often more local in nature and vary from the standard documents normally submitted for visa adjudications or for adoption cases in other countries. The potential for fraud exists. Post is working with other posts, such as Ankara, to ensure consistent adoption processing.

Dubai does not process adoption cases.

#### 17. Use of DNA Testing - Abu Dhabi and Dubai

Abu Dhabi has rarely had to request this for determinations of relationship in IV cases or for CRBA/passport determinations.

DNA testing is available in Dubai. It is typically used to establish paternity when necessary for a Consular Report of Birth Abroad. No new ACS cases involving DNA Testing were recorded during this period.

#### 18. Asylum and Other DHS Benefit Fraud - Abu Dhabi and Dubai

Abu Dhabi processes Visa 92 (asylum) cases, which are not usually found to be fraudulent from the perspective of the consular officer's responsibility to determine the family relationship. However, based on interviews with the applicants, it appears that in many cases the underlying basis for the original asylum claim was likely to have been false. For example, post receives following-to-join visa requests based on successful asylum claims by Iranians who had reportedly converted from Islam to Christianity, claiming persecution in Iran. Interviews with following-to-join family members often result in disclosures that the "conversions" were not real. Often the interview reveals that the applicant has very little knowledge of the conversion and answers frequently appear to be coached. Post advised the Department and DHS/VSU about such concerns and continues to complete Visas 92 processing per Department guidance. DHS/VSU has advised that they have reported our concerns to appropriate DHS offices and established an internal dialogue about the phenomenon.

Dubai does not process any refugee or asylum cases.

¶9. Alien Smuggling, Trafficking, Organized Crime, Terrorist Travel  
- Abu Dhabi and Dubai

As Dubai and Abu Dhabi emerge as major airline transportation hubs between Europe, the U.S., Africa, the Middle East, South Asia, and East Asia - and with growing networks of direct flights to many locations in those regions - there is and will continue to be an expected increase in the level of fraudulent travel through the country. Over 80 percent of the UAE population is composed of TCNs and there are direct air links to almost every corner of the world, including service to at least eight U.S. cities.

While there are no known major networks in the UAE itself, both Abu Dhabi and Dubai are popular transit points for fraudulent travelers (most frequently transiting to Europe.) It is unlikely that UAE nationals will become involved in the fraud industry; rather, this will more likely arise from within the TCN communities that see opportunities to assist persons entering the UAE illicitly or transiting to other parts of the world.

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¶10. DS Criminal Fraud Investigations - Abu Dhabi and Dubai

Neither post has an A/RSO-I for investigations. However, there is a strong relationship between the consular section, RSO, and the DHS Immigration and Customs Enforcement Visa Security Unit(DHS/ICE/VSU). All offices at post mutually support one another in maintaining the integrity of the passport and visa processes.

¶11. Host Country Passport, Identity Documents, and Civil Registry -  
Abu Dhabi and Dubai

UAE immigration authorities knowingly issue passports to UAE nationals born outside the UAE that incorrectly show their place of birth to be in one of the country's seven emirates. The UAE Government instituted this practice to combat discrimination in administering the UAE law against dual nationality. The decision to allow this practice is usually attributed to the former President and father of the nation, Sheikh Zayed. In 2002, both posts consulted with the Department, which determined that these passports are not valid travel documents under U.S. law and can therefore not be used to travel to the United States. Generally, bearers of such passports are qualified visa applicants with legitimate travel plans to the United States. As well-intended as this UAE government policy may be, it nonetheless complicates efforts to identify UAE nationals who are potential security threats to the United States or have other visa ineligibilities.

The UAE otherwise has modern, professional and secure nationality and identity documents and well-established procedures for obtaining and maintaining vital civil records, at least for those born



within  
the last 30 years. Given that the modern state of the UAE only  
came  
into existence in 1971, it is more difficult to rely on any  
documents created before that date. However, almost all records  
on  
individuals and their families are now updated and established.  
UAE  
passports are ICAO compliant, and since they are valid for 5  
years,  
Post has no particular problems with older versions of the UAE  
passport.

The UAE has also launched a mandatory national identity card  
program  
for all residents of the UAE. Several hundred thousand Emiratis,  
starting with those in the armed forces and the police, now have  
such cards. The identity card is scheduled to be mandatory for  
all  
residents - Emirati and TCN alike - by 2010. The ID cards carry  
all  
biometric data and fingerprints on an electronic chip and are  
intended to eventually be used as driver's licenses, for banking  
purposes, for residency status verification, and more. More  
information on the UAE national ID card can be found at the  
Emirates  
Identity Authority's website at  
<http://www.emiratesid.ae/mainenglish.html>.

In 2003, the UAE began implementation of iris scanning at its  
airports for certain nationals. Individuals who are deported from  
the UAE, or are the subject of travel bans, are enrolled into the  
iris-scan lookout system prior to their removal/departure from  
the  
UAE. At time of entry into the UAE, travelers of certain  
nationalities are required to undergo iris scanning, and over  
30,000  
persons have been intercepted using the new technology. Iris  
scanning is also being deployed at land border crossings, and is  
currently active on the Omani border.

#### 12. Cooperation with Host Government Authorities - Abu Dhabi and Dubai

Generally, both posts have a good working relationship with the

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host  
government including cooperation on fraud issues as they arise.  
The  
UAE, however, remains unresponsive to the serious passport  
place of  
birth concerns described above in paragraph 11.

#### 13. Areas of Particular Concern - Abu Dhabi and Dubai

Mission UAE again highlights the known inadequacy of the UAE  
passport in  
regards to true place of birth for UAE nationals born outside the  
UAE. (See paragraph 11.)

A primary concern in IV and NIV work with Iranian applicants  
remains our limited ability to verify Iranian documents and  
information provided in interviews. Mission UAE relies on  
"Shenas Namehs"  
to confirm names, birthdates, marriages, divorces, and other  
data.  
Posts have seen several cases in which duplicate Shenan Namehs  
are  
submitted to verify identity. In many cases, Posts have found  
that  
the duplicate document does not retain the same data as the  
original and that opportunities exist for altering data.



With no USG presence in Iran it is difficult to conduct research to verify suspicious information or documents. Both posts are concerned about fraud in Iranian cases and sees the potential for abuse (with possible security ramifications) of the U.S. immigration process. Mission UAE is working on improving our knowledge of Iranian documents. We are working with the Swiss Embassy in Tehran, our counterparts from other missions with presence in Iran, and with colleagues from other U.S. Missions that handle Iranian visa work to gather Iranian legitimate documents and analyze valid trends. Despite efforts made approximately 4 years ago to gather Iranian documents, neither post has had a set on documents against which to verify Iranian claims. Efforts are being made through the Swiss and the British Embassies to gather valid and current Iranian documents.

Mission UAE suspects that the Iranian community has caught on that working for the Government of Iran often results in a delay of visa issuance. Additionally, we suspect local Iranian travel agencies (which facilitate Iranians visiting the UAE, including accommodations in Dubai and transportation to Abu Dhabi) informally brief applicants on what to expect and say during visa interviews. Most recently, Mission UAE is working with CA/VO/L/C (the State group responsible for clearing Security Advisory Opinions) to clarify guidelines for the use of Security Advisory Opinions for Iranians with previous government and/ or military experience.

#### 14. Staffing and Training - Abu Dhabi and Dubai

Abu Dhabi does not have any dedicated fraud prevention staff. Visa team members - LES and officer alike - look for fraud on a case-by-case basis. When the possibility of fraud is suspected, Post works to investigate that case. With an Iranian- American IV Chief and 3 Iranian LES staff, much IV fraud work can be done in native language and by investigating original sources in Iran. The DHS Visa Security Unit provides excellent assistance on fraud prevention matters and provides training to our consular staff, UAE immigration, and others for the detection of fraudulent documents, travel, imposters, DHS database reviews, and the whole range of fraud issues.

Dubai has one full-time LES NIV anti-fraud investigator who investigates petition-based visa cases. Post also has one American Citizen Services assistant who has participated in FSI anti-fraud training.  
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